



Order Filed on July 7, 2021
by Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

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Counsel to the Liquidating Trustee

In re:

NEW ENGLAND MOTOR FREIGHT, INC., *et al.*,¹

Debtors.

Chapter 11

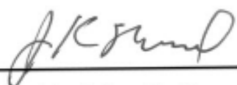
Case No. 19-12809 (JKS)

(Jointly Administered)

**ORDER GRANTING THE LIQUIDATING TRUSTEE'S
FIFTH OMNIBUS OBJECTION TO CERTAIN UNLIQUIDATED
CLAIMS TO BE DISALLOWED AND EXPUNGED OR, IN THE
ALTERNATIVE, ESTIMATED, FIXED AND ALLOWED IN THE
AMOUNT OF ZERO DOLLARS**

The relief set forth on the following pages, numbered two (2) through and including four (4), is hereby **ORDERED**.

DATED: July 7, 2021


Honorable John K. Sherwood
United States Bankruptcy Court

¹ The Debtors in these Chapter 11 Cases and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); Mylon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

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Debtor: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Order Granting the Liquidating Trustee's Fifth Omnibus Objection to Certain Unliquidated Claims to be Disallowed and Expunged or, in the alternative, Estimated, Fixed, and Allowed in the Amount of Zero Dollars

Upon the fifth omnibus objection (the "Omnibus Objection")² of the Liquidating Trustee appointed in the above-captioned Chapter 11 Cases, seeking entry of an order, pursuant to sections 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rules 3007-1 and 3007-2, disallowing and expunging the claims (the "Claims") set forth on Exhibit A and Exhibit B to this Order or, in the alternative, estimating, fixing, and each of the Claims in the amount of Zero Dollars (\$0), because each such Claim (i) fails to state an amount owed, (ii) states an amount owed of zero dollars, or (iii) states that the amount owed is unliquidated; and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Omnibus Objection being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that proper and adequate notice of the Omnibus Objection has been given and that no other or further notice is necessary; and upon the record herein; and the Court having determined that the relief sought by the Omnibus Objection is in the best interests of the Debtors, their estates, and creditors; and after due deliberation and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Omnibus Objection is GRANTED as set forth herein.
2. The Claims listed on Exhibit A and Exhibit B attached to this Order are hereby disallowed and expunged in their entirety.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Omnibus Objection.

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Debtor: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

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3. For the avoidance of doubt, nothing in the Omnibus Objection or this Order shall be deemed or construed to (a) constitute an admission as to the validity or priority of any claim against the Debtors, (b) an implication or admission that any particular claim is of a type specified or defined in this Order or the Omnibus Objection, and/or (c) constitute a waiver of the Liquidating Trustee's rights to dispute any claim on any grounds.

4. The Liquidating Trustee, the Debtors, their claims and noticing agent (Donlin, Recano & Company, Inc.), and the Clerk of this Court are authorized to take any and all actions that are necessary or appropriate to give effect to this Order.

5. The objection to each of the Claims, as addressed in the Omnibus Objection and as set forth in Exhibit A and Exhibit B attached hereto, constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each of the Claims that is the subject of the Omnibus Objection and this Order. Any stay of this Order pending appeal by any claimants whose Claims are subject to this Order shall only apply to the contested matter that involves such claimant and shall not stay the applicability and/or finality of this Order with respect to any other contested matters addressed in the Omnibus Objection and this Order.

6. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Omnibus Objection or otherwise waived.

7. Notwithstanding any applicability of any of the Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

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Debtor: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

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8. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

GHT, INC., ET AL

EXHIBIT A

GENERAL UNSECURED - UNLIQUIDATED VENDOR CLAIMS

| Claims to be Expunged | | | | | Basis for Objections |
|--|------------|-----------|--------------|-------------------|---|
| Litor Name & Address | Date Filed | Claim No. | Claim Amount | Claim Class | |
| EDWARD D ST 1ST FL PROVIDENCE, RI 02911 | 5/28/2019 | 596 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| CULINARY EQUIPMENT IES LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1130 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| CULINARY EQUIPMENT IES LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1132 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| CULINARY EQUIPMENT IES LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1134 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| CULINARY EQUIPMENT IES LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1136 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| CULINARY EQUIPMENT IES LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1138 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| CULINARY EQUIPMENT IES LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1142 | | General Unsecured | Unliquidated or zero dollar claim by vendor |

GHT, INC., ET AL

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GENERAL UNSECURED - UNLIQUIDATED VENDOR CLAIMS

| Claims to be Expunged | | | | | Basis for Objections |
|--|------------|-----------|--------------|-------------------|---|
| Litor Name & Address | Date Filed | Claim No. | Claim Amount | Claim Class | |
| CULINARY EQUIPMENT IES LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1161 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| CULINARY EQUIPMENT IES LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1163 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| CULINARY EQUIPMENT IES LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1165 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| CULINARY EQUIPMENT IES LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1167 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| CULINARY EQUIPMENT IES LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1169 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1129 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1131 | | General Unsecured | Unliquidated or zero dollar claim by vendor |

GHT, INC., ET AL

EXHIBIT A

GENERAL UNSECURED - UNLIQUIDATED VENDOR CLAIMS

| Claims to be Expunged | | | | | Basis for Objections |
|---|------------|-----------|--------------|-------------------|---|
| Litor Name & Address | Date Filed | Claim No. | Claim Amount | Claim Class | |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1133 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1135 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1137 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1139 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1140 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1141 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1143 | | General Unsecured | Unliquidated or zero dollar claim by vendor |

GHT, INC., ET AL

EXHIBIT A

GENERAL UNSECURED - UNLIQUIDATED VENDOR CLAIMS

| Claims to be Expunged | | | | | Basis for Objections |
|---|------------|-----------|--------------|-------------------|---|
| Litor Name & Address | Date Filed | Claim No. | Claim Amount | Claim Class | |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1162 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1164 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1166 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| NC LESLIE A BAYLES VE LEIGHTON PAISNER LLP CLARK STREET SUITE 4300 L 60601 | 6/18/2019 | 1168 | | General Unsecured | Unliquidated or zero dollar claim by vendor |
| 25 Claims \$ - | | | | | |

GHT, INC., ET AL

EXHIBIT B

GENERAL UNSECURED - UNLIQUIDATED LITIGATION CLAIM

| Claims to be Expunged | | | | | Basis for Objections |
|--|------------|-----------|--------------|-------------------|---|
| Litor Name & Address | Date Filed | Claim No. | Claim Amount | Claim Class | |
| OLD VIDLER LLC D MILLER HWY N STE 402 LL, NJ 08034 | 3/4/2019 | 207 | | General Unsecured | Unliquidated litigation claim on the basis of wrongful termination. |
| 1 Claim \$ - | | | | | |

In re:
New England Motor Freight, Inc.
Debtor

Case No. 19-12809-JKS
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jul 08, 2021

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 8

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|---|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |
| ## | Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 10, 2021:

| Recip ID | Recipient Name and Address |
|----------|---|
| db | + New England Motor Freight, Inc., 1-71 North Ave E, Elizabeth, NJ 07201-2958 |
| aty | + Deloitte Consulting LLP, 111 S Wacker Dr, Chicago, IL 60606-4396 |
| aty | Gibbons, P.C., One Gateway Center, Newark, NJ 07102-5310 |
| aty | Howard A. Cohen, Gibbons P.C, 300 Delaware Avenue, Suite 1015, Wilmington, DE 19801-1671 |
| aty | Jeffrey L. Nagel, Gibbons P.C., One Pennsylvania Plaza, 37th Floor, New York, NY 10119-3701 |
| aty | + Todd M. Brooks, Whiteford, Taylor & Preston L.L.P., 7 St. Paul Street, Suite 1500, Baltimore, MD 21202-1636 |
| aty | + WASSERMAN, JURISTA & STOLZ, P.C., 110 Allen Road, Suite 304, Basking Ridge., NJ 07920-4500 |
| aty | + Whiteford Taylor & Preston, Seven Saint paul St. Ste 1800, Baltimore, MD 21202-1639 |

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address |
|----------|---------------|--|
| aty | ##+ | Brent C. Strickland, Whiteford, Taylor & Preston L.L.P, 7501 Wisconsin Avenue, Suite 700W, Bethesda, MD 20814-6521 |

TOTAL: 0 Undeliverable, 0 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 10, 2021

Signature: /s/Joseph Speetjens